

ROCHESTER CITY COUNCIL

REGULAR MEETING

OCTOBER 13, 2009

Present - President Santiago, Councilmembers Conklin, Lightfoot, McFadden, Miller, Palumbo, Pritchard, Spaul, Warren - 9.

Absent - None - 0.

The Council President requested the Council to rise for a Moment of Silence.

Pledge of Allegiance to the Flag of the United States of America.

Recognition Ceremony

Retirement:

**RFD**

\*Gary J. Isaacs

*\*Not attending meeting.*

APPROVAL OF THE MINUTES

By Councilmember Palumbo

RESOLVED, that the minutes of the Regular Meeting of September 8, 2009 be approved as published in the official sheets of the Proceedings.

Passed unanimously.

COMMUNICATIONS FROM THE MAYOR, COUNCIL PRESIDENT, CORPORATE OFFICERS AND OTHERS.

The following communications are hereby directed to be received and filed:

The Mayor submits the following:

Administrative Cancellation or Refund of Erroneous Taxes and Charges 3991-09

Quarterly Report 3992-09

Professional Services Agreements

Delinquent Receivables

THE COUNCIL PRESIDENT --- PRESENTATION AND REFERENCE OF PETITIONS AND REMONSTRANCES.

None presented.

PUBLIC HEARINGS.

Pursuant to law public hearing will now be had on the following matter:

October 13, 2009

Authorizing An Amendatory 2009-10 Community Development Program Plan And Appropriating Funds For Demolition And The ED Financial Assistance Loan And Grant Program Int. No. 378 No speakers.

Authorizing Amendatory 2003-04, 2004-05, 2005-06 And 2006-07 Community Development Program Plans And Amending Ordinances For The Job Creation/Youth Development Program Int. No. 391 No speakers.

## INTRODUCTION OF AND ACTION UPON LOCAL LAWS, ORDINANCES AND RESOLUTIONS

### REPORTS OF STANDING COMMITTEES AND ACTION THEREON

By Councilmember Conklin  
October 13, 2009

To the Council:

The Finance Committee recommends for Adoption the following entitled legislation:

Int. No. 368 - Cancellation Of Taxes And Charges

Int. No. 369 - Designating The City As A Recovery Zone

Int. No. 370 - Authorizing Extension Of An Agreement For The Workforce Investment Board

Int. No. 371 - Amending The Municipal Code With Respect To Parking Rates At The Mortimer Street Garage

Int. No. 372 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Web Development Services

Int. No. 373 - Resolution Approving An Appointment To The Rochester Public Library Board Of Trustees

Int. No. 395 - Establishing Maximum Compensation For A Professional Services Agreement For Risk Reduction Services, As Amended

Respectfully submitted,  
Carolee A. Conklin  
Carla M. Palumbo  
Lovely A. Warren  
Gladys Santiago  
FINANCE COMMITTEE

Received, filed and published

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-335

October 13, 2009

Re: Cancellation or Refund of Erroneous  
Taxes and Charges

Transmitted herewith for your approval is legislation approving the cancellation or refund of taxes and charges totaling \$265,867.64.

Thirty-five properties were taken by the City in a Tax Foreclosure action on April 3, 2009. Rehabilitation charges, code violation charges, delinquent water and refuse charges attributed to the former owners of these properties were added to the tax receivable file prior to the time when ownership to the City was recorded on the Assessment File.

If this cancellation is approved, total cancellations thus far for 2009-10 will be \$ 280,003.09.

	<u>Accounts</u>	<u>Amounts</u>
City Council	36	\$270,094.35
Administrative	<u>30</u>	<u>9,908.74</u>
Total	66	\$280,003.09

These cancellations represent .122% of the taxes receivable as of July 1, 2009.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-111

Ordinance No. 2009-335  
(Int. No. 368)

#### Cancellation of Taxes and Charges

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City Treasurer is authorized to cancel the following taxes and charges.

- (A) Cancellation of Rehabilitation Charges, Code Violation Charges, Delinquent Water and Refuse Charges attributable to former owners of properties taken by the City in foreclosure on April 3, 2009. The charges were added to the 2009-10 taxes prior to the time when ownership to the City was recorded on the Assessment File.

<u>Property Address</u>	<u>SBL Number</u>	<u>Total</u>
846 North St	106.41-3-74	\$ 11,859.00
76 Bartlett St	120.68-2-37	6,784.00
410 Champlain St	120.59-2-49	1,209.00
72 Jefferson Av	120.36-1-77	1,726.08
99 Copeland St	107.45-1-29	1,535.84
24 Reed Pk	106.41-2-38.2	26,239.00
30 Reed Pk	106.41-2-35	21,306.49
78 Rauber St	106.69-2-52	27,027.00
56 Hoeltzer St	106.39-1-49.1	17,199.00
12 Princeton St	106.38-2-86	27,503.00
121 Alphonse St	106.33-1-74	1,614.15
39-41 Watkin Ter	106.33-3-41	3,901.00
15 Dudley St	106.33-1-47	8,903.00
240 Clifford Av	106.30-4-69	4,483.00
9 Carl St	106.30-2-5	1,505.00

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72 Conkey Av	106.29-3-2	8,900.00
26 St. Jacob St	106.25-2-36	7,209.50
127 Berlin St	106.24-1-28.1	1,200.00
85 Grape St	105.83-2-29	1,063.79
69 Pardee St	91.79-4-15	1,450.08
134 Emerson St	105.43-1-43	3,962.73
17 Fulton Av	105.60-1-31	15,014.15
11 Fulton Av	105.60-1-34	1,463.00
12 Calihan Pk	105.65-2-19	1,309.00
23 Angle St	105.66-1-15	9,911.00
28 Angle St	105.66-2-44	2,263.00
676 Ave D	91.80-1-72.1	2,907.00
21 Ludwig Pk	91.80-1-68	6,362.44
20 Ludwig Pk	91.80-1-62	1,747.48
22 Ludwig Pk	91.80-1-61	10,663.37
9 Herbert St	91.80-1-32	5,907.00
592-594 Conkey Av	91.69-2-3	2,101.00
33 St. Stanislaus St	91.65-3-39	12,330.46
36 Beach St	91.61-3-19	6,134.02
469-471 Pullman Av	90.41-1-12	<u>1,174.06</u>
		\$265,867.64

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-336

Re: ARRA Recovery Zone Designation

Transmitted herewith for your approval is legislation authorizing the designation of the City of Rochester as a Recovery Zone under the American Recovery and Reinvestment Act of 2009 (ARRA). Rochester's eligibility for designation as a Recovery Zone falls into the category defined as being affected by significant poverty, its unemployment and home foreclosure rates, or general distress.

Such designation will allow the City to issue Recovery Zone Economic Development Bonds (RZEDB's) in an amount up to \$1,833,000. These taxable bonds are entitled to a direct federal subsidy of 45% interest.

In general, RZEDB's may be used to finance certain qualified economic development purposes within a Recovery Zone, including: capital expenditures paid or incurred with respect to property located in the recovery zone; expenditures for public infrastructure and construction of public facilities; and expenditures for job training and educational programs.

Although taxable municipal bonds are typically issued at higher interest rates than tax-exempt municipal bonds, the 45% interest subsidy, under current market conditions, results in a net interest rate that is less than the tax-exempt bonds.

This legislation will not affect the City's Debt Authorization Limit. The City is considering the use of the RZEDB allocation for a conversion of the outstanding Bond Anticipation Notes that mature in February 2010. The pricing of these bonds is anticipated to occur in December 2009.

Respectfully submitted,  
Robert J. Duffy  
Mayor

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Ordinance No. 2009-336  
(Int. No. 369)

Designating The City As A Recovery Zone

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") authorizes the City to issue recovery zone economic development bonds in an amount up to \$1,833,000 pursuant to a suballocation of the national volume cap for Recovery Zone Bonds provided by the Federal Treasury Department; and

WHEREAS, recovery zone economic development bonds are entitled to a direct federal subsidy of 45% of the interest thereon; and

WHEREAS, the City is required to designate a recovery zone prior to issuing such bonds; and

WHEREAS, any such bonds must be for expenditures for property located within the recovery zone or otherwise promote economic activity therein; and

WHEREAS, the term "recovery zone" is defined to mean (1) any area designated by the City as having significant poverty, unemployment, rate of home foreclosures or general distress; (2) any area designated by the City as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009; and

WHEREAS, the Council desires to designate the City of Rochester as a recovery zone under the ARRA.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester is hereby designated as a recovery zone for purposes of the ARRA as a result of significant poverty, unemployment, home foreclosure rates and general distress, as the current recession has had and continues to have a significant adverse impact on the City as a whole.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-337  
Re: Inter-Municipal Agreement - Monroe  
County, Workforce Investment  
Board

Transmitted herewith for your approval is legislation authorizing a five-year inter-municipal agreement with the County of Monroe for the continuation of the Monroe County/Rochester Workforce Investment Board (WIB). The current agreement expires December 31, 2009.

The Rochester/Monroe County WIB is the governing body of the local workforce investment area created by New York State as one of the provisions of the US Workforce Investment Act of 1998; the local WIB and workforce system operates and is monitored in accordance with guidelines established by the New York State Department of Labor. The WIB has been in operation since 2000, at which time agreements for various programs were approved by City Council (Ordinance No. 2000-190 and Ordinance No. 2000-191).

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The primary responsibilities of the WIB, which is administered locally by RochesterWorks (Peter Pecor, Executive Director), include:

- Oversee the investment of federal and state funding for local workforce development
- Develop a strategic plan to be submitted to the Governor of New York for approval
- Designate the one-stop operator(s)
- Certify eligible providers of youth, training, and intensive services
- Negotiate local performance measures
- Establish performance goals
- Evaluate and improve performance

There are 42 members of the board, the majority of whom must be business representatives. The remaining members include education, labor, community organizations, and economic development agency representatives. In addition, the Mayor and the County Executive serve as ex-officio members. A list of current members is attached.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-112

Ordinance No. 2009-337  
(Int. No. 370)

Authorizing Extension Of An Agreement For The Workforce  
Investment Board

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an extension of five years of the inter-municipal agreement with the County of Monroe for the operation of the Monroe County/Rochester Workforce Investment Board.

Section 2. The agreement extension shall contain such terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Re: Ordinance No. 2009-338  
Amending the City Code - Parking  
Rate, Mortimer Street Garage

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Transmitted herewith for your approval is legislation amending the City Code to reduce the monthly parking fee for the Mortimer Street Garage from \$78 to \$50, and for the adjacent surface lot from \$58 to \$50.

These reductions will bring rates in line with the parking market in the immediate vicinity, thereby enhancing the competitiveness of the garage. Rates at private surface lots in the area and at the St. Joseph's Garage range from \$55 to \$75 per month.

The Mortimer Street Garage was re-opened in September 2008 with the expectation that it would attract parkers displaced by the closing of the Midtown Garage. However, the 700 spaces available (600 in the garage and 100 in the surface lot) never attracted more than 250 users, and is currently down to fewer than 110.

AllPro Parking LLC operates the Mortimer Street Garage through a management fee agreement. The City pays AllPro \$600 per month to operate the garage; any revenue after expenses is returned to the City. However, with the low occupancy, expenses have exceeded revenue and the City has been reimbursing the operator for the losses. The lower rates are intended to increase use of the garage and lot, thereby reducing the cost to the City.

The new rate structure would become effective on November 1, 2009.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-338  
(Int. No. 371)

Amending The Municipal Code With Respect To Parking Rates At  
The Mortimer Street Garage

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Section 111-119 of the Municipal Code, establishing the fees for use of parking garages, as amended, is hereby further amended by amending subsection A(6)(f) to read in its entirety as follows:

(f) Mortimer Street Garage: \$50 for parking in the garage and in the surface lot.

Section 2. This ordinance shall take effect on November 1, 2009.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-339  
Re: Amendatory Agreement - NimbleUser  
(formally VanDamme Associates),  
Web Site Revitalization Project

Transmitted herewith for your approval is legislation authorizing an amendatory agreement with NimbleUser (formally VanDamme Associates), Pittsford, NY, for additional services related to the Web Site Revitalization Project. This amendment will extend the term of the agreement to December 31, 2010, and increase maximum compensation by \$150,000. The additional cost will be funded from the Cash Capital allocation of the 2009-10 Budget.

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These additional services are required for completion of the next phase of the Web site project. The first phase, now complete, moved all existing content into a new Web design and included several updates and enhancements. This next phase will implement several improvements. Currently under consideration are:

- Coordination of all content related to the City's real estate functions
- Enhancement of calendar and search functions
- Inclusion of opportunities for community authored content

Final determination of improvements will be based on City staff identification of needs, Web content analytics, and customer feedback.

VanDamme Associates was contracted in August 2008 to design and build the City's new Web site. The original agreement established \$150,000 as maximum compensation; an amendment in April 2009 increased compensation by \$20,000 for maintenance services. The current request will bring total compensation for this agreement to a total of \$320,000.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-339  
(Int. No. 372)

Establishing Maximum Compensation For An Amendatory  
Professional Services Agreement For Web Development Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$150,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement with NimbleUser for web development services for the City's Web Revitalization Project through December 31, 2010. Said amount shall be funded from the 2009-10 Cash Capital allocation.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2009-15  
Re: Appointment - Rochester Public  
Library Board of Trustees

Transmitted herewith for your approval is legislation confirming the appointment of Katherine Baynes, 210 Dartmouth Street, Rochester 14607, to the Rochester Public Library Board of Trustees. Ms. Baynes will fill the position previously held by Robert Hursh. Her term will extend to December 31, 2014.

A copy of Ms. Baynes' resume is on file with the City Clerk.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Resolution No. 2009-15



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(Int. No. 373)

Resolution Approving An Appointment To The Rochester Public  
Library Board Of Trustees

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the appointment of Katherine Baynes, 210 Dartmouth Street, to the Rochester Public Library Board of Trustees for a term which shall expire on December 31, 2014. Ms. Baynes shall replace Robert Hursh.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-340

Re: Agreement - Bickmore Risk Services  
And Consulting, Employee Safety  
Programs Evaluation

Transmitted herewith for your approval is legislation establishing \$100,000 as maximum annual compensation for a two-year agreement with Bickmore Risk Services and Consulting, Sacramento, CA. Their local operations center is located in Windsor, NY 13865. The cost of this agreement will be funded from the Undistributed allocation of the 2009-10 and 2010-11 Budgets. The agreement will provide for an annual flat fee of \$60,000 and an additional amount, up to a maximum of \$40,000, as a percentage of savings (10%), if any, captured as a result of the implementation of recommendations. Improvements in workplace safety are expected to reduce injuries and resulting claims.

Bickmore is an independent consulting firm that provides risk assessment services; they work exclusively with government entities to evaluate their frequency and severity of losses resulting from on-the-job injuries. The firm does not sell any related products such as workers compensation insurance, nor do they process claims.

Using a model tailored specifically for government agencies, their analysis will use national benchmarks and peer group data to identify and evaluate the effectiveness of the City's safety and risk control program. Upon completion of the evaluation, Bickmore will prepare a report of recommendations regarding the City's practices and programs, and provide assistance as necessary in developing a sustainable employee health and safety program that addresses the long-term needs of the City.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-340  
(Int. No. 395, As Amended)

Establishing Maximum Compensation For A Professional Services  
Agreement For Risk Reduction Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$[60,000] 80,000, or so much thereof as may be necessary, is hereby established as the [annual] compensation to be paid for a professional services agreement between the City

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and Bickmore Risk Services and Consulting for workplace safety and risk reduction services for a term of [two] one year[s]. [Bickmore may also be paid an additional amount not to exceed 10% of the savings, if any, captured as a result of implementation of the recommendations, not to exceed \$40,000 annually.] Said amount[s] shall be funded from the 2009-10 [and 2010-11] Budget[s] for Undistributed Expense[, contingent upon adoption of the latter budget].

Section 2. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

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By Councilmember Warren  
October 13, 2009

To the Council:

The Neighborhood & Community Development Committee recommends for Adoption the following entitled legislation:

Int. No. 374 - Authorizing The Sale Of Real Estate And Amending Ordinance No. 2007-90, As Amended

Int. No. 376 - Approving A Loan Agreement For The F.I.G.H.T. Village Apartments Renovation Project

Int. No. 377 - Approving A Property Tax Exemption And Authorizing An In Lieu Of Tax Agreement For The F.I.G.H.T. Village Apartments Renovation Project, As Amended

The Neighborhood & Community Development Committee recommends for Consideration the following entitled legislation:

Int. No. 378 - Authorizing An Amendatory 2009-10 Community Development Program Plan And Appropriating Funds For Demolition And The ED Financial Assistance Loan And Grant Program

The following entitled legislation is being HELD in committee:

Int. No. 375 - Accepting Donation Of Parcel For Street Purposes

Respectfully submitted,  
Lovely A. Warren  
Carolee A. Conklin  
Carla M. Palumbo  
Gladys Santiago  
NEIGHBORHOOD & COMMUNITY DEVELOPMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-341

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Re: Sale of Real Estate

Transmitted herewith for your approval is legislation approving the sale of five properties. With the exception of purchasers of unbuildable vacant land, staff has audited City records to ensure that purchasers do not own other properties with code violations or delinquent taxes. The records of the Bureau of Inspection and Compliance Services were also audited to ensure that purchasers have not been in contempt of court or fined as a result of an appearance ticket during the past five years.

The first three properties were sold at the July 13, 2009 public auction. The purchasers will be required to complete the rehabilitation of the structures within nine months of conditional closing.

The last two properties are unbuildable vacant lots that are being sold to the adjoining owners for \$1.00. The purchasers will combine the parcels with their adjoining properties.

The first-year projected tax revenue for these five properties, assuming full taxation, current assessed valuations and current tax rates, is estimated to be \$2,518.

All City taxes and other charges, except water charges, against properties being sold by the City will be canceled on the first day of the month following adoption of the ordinance because either the City has agreed to convey the properties free of City tax liens and other charges, or these charges have been included in the purchase price.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-113

Ordinance No. 2009-341  
(Int. No. 374, As Amended)

Authorizing The Sale Of Real Estate And Amending Ordinance No.  
2007-90

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the sale of the following parcels of improved property by regular auction:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Legal Use</u>	<u>Price</u>	<u>Purchaser</u>
208 Avenue C	091.77-3-21	41x120	1 Family	\$1,800	Brian Abramson
[75 Berlin St	106.24-1-20	32x107	1 Family	\$9,200	Margaret Austin]
60 Laser St	091.72-4-67	34x105	2 Family	\$4,700	Brian Abramson

Section 2. The Council hereby approves the sale of the following parcels of unbuildable vacant land for the sum of \$1.00:

<u>Address</u>	<u>S.B.L.#</u>	<u>Lot Size</u>	<u>Square Feet</u>	<u>Purchaser</u>
242 Remington St	091.79-4-74	29x198	5742	Walter Moorehead
18 Second St	106.59-2-75	38x120	4560	Kim Pacheco

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Section 3. City taxes and other City charges, except water charges, against said properties are hereby canceled up to the first day of the month following the date of adoption of this ordinance for the reason that the City has agreed to convey said properties free of City tax liens and other charges.

Section 4. Ordinance No. 2007-90, relating to an exchange of land with Rochester Midland Corporation , is hereby amended by amending Section 1 thereof to read in its entirety as follows:

Section 1. The Council hereby approves an exchange with Rochester Midland Corporation whereby the City will exchange a fee interest in a portion of the City owned railroad parcel at 375 Hollenbeck Street, SBL #91.62-1-79.1, for an easement over parcels owned by Rochester Midland Corporation at 530 Conkey Avenue, SBL #91.69-2-14, and a portion of 271 Norton Street, SBL #91.69-2-24.

Section 5. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-342 and

Ordinance No. 2009-343

Re: F.I.G.H.T Village Apartments

Transmitted herewith for your approval is legislation related to the F.I.G.H.T Village Apartments renovation project being undertaken by Conifer Realty, LLC. This legislation will:

1. Authorize an agreement for a \$500,000 construction loan with Conifer Realty, LLC or its subsidiary and/or a Housing Development Fund Company (HDFC) to be formed by Conifer;
2. Appropriate a total of \$500,000 from the Rental Housing Fund of 2009-10 HOME Program to fund the loan;
3. Authorize property tax exemptions and a payment in-lieu of taxes (PILOT) agreement with Conifer Realty, LLC and/or a HDFC to be formed by Conifer, equal to 7% of shelter rents in years 1-3, 8% of shelter rents in years 4-6, 9% of shelter rents in years 7-9 and 10% of shelter rents in years 10-30; and
4. Authorize the Mayor to adjust the interest rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits or for the project.

The project, at 428 and 508-560 North Clinton Avenue in the Upper Falls neighborhood, is situated on approximately 14 acres, in 22 two-story garden style apartment buildings and townhouses containing 246 units. Conifer Realty, LLC assumed management of the property in February 2008, and will rehabilitate and preserve F.I.G.H.T Village Apartments as affordable housing for an additional 30 years. The rehabilitation will improve the visual aesthetics in the area, improve management and security, and enhance the quality of life of the residents.

Interior renovations to each of the 246 units will include: new kitchen, bathroom, and appliances; replacement flooring and interior doors; new paint; energy efficient light fixtures; and attic and wall insulation. On the exterior, the brick will be pointed and new vinyl siding will be installed. Extensive landscaping will be done to provide a more residential neighborhood atmosphere.

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The existing community center will be gutted and expanded from 3,000 to 6,000 square feet. It will be furnished with a new computer and fitness center, and will house the rental offices for the complex. Lastly, a new maintenance building will be constructed to house equipment.

To enhance security, the following improvements are included in the project: installation of security cameras to allow 24-hour monitoring; additional exterior site lighting; reconstruction of parking lots; landscaping; and better coordination with the Rochester Police Department.

The total development cost is \$22,517,733. Project financing will be provided by a combination of NYS Housing Finance Agency (HFA) tax exempt bond financing, 4% Low Income Housing Tax Credits, and NYS HFA subsidy funds. The budget for the project is as follows:

<b>Costs:</b>	
Land cost	\$ 5,800,000
Residential hard costs	10,258,253
Professional fees	867,040
Financing, fees, permits	4,990,032
Reserves and escrows	<u>602,408</u>
<b>Total</b>	<b>\$22,517,733</b>

<b>Sources:</b>	
236 Loan	\$ 1,235,000
Tax exempt bond	7,000,000
NYS HFA	4,600,000
City of Rochester	500,000
Interim income	765,000
NYSERDA	332,100
Federal tax credit equity	6,912,757
GP Equity	<u>1,172,876</u>
<b>Total</b>	<b>\$22,517,733</b>

The City loan will help finance the renovation project with a term of 30 years, and annual interest-only payments of 1%, with principal due on maturity. The PILOT agreement would provide a 30-year tax exemption in consideration of an annual in-lieu of tax payment as outlined above.

The project is anticipated to start construction before the end of 2009 with a planned fourteen-month construction period.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-342  
(Int. No. 376)

Approving A Loan Agreement For The F.I.G.H.T. Village  
Apartments Renovation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into a loan agreement with Conifer Realty, LLC or an affiliated partnership or housing development fund company formed for the purpose of developing the project, whereby the City shall provide a loan to partially finance the costs of the reconstruction of rental units as a part of the F.I.G.H.T. Village Apartments Renovation Project. The funding shall initially be provided as an interest free construction loan. Upon completion of construction, the loan may be converted to a 30-year loan with interest at the rate of 1%, payable annually. Payment of the principal shall be deferred until the end of the term. The Mayor is authorized to adjust the interest

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rate and other terms and conditions of the loan in order to conform to legal requirements for tax credits and for the Project.

Section 2. The agreement shall obligate the City to pay an amount not to exceed \$500,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from 2009-10 HOME Program Funds.

Section 3. The Mayor is further authorized to enter into such agreements as may be necessary to implement the F.I.G.H.T. Village Apartments Renovation Project.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2009-343  
(Int. No. 377, As Amended)

Approving A Property Tax Exemption And Authorizing An In-Lieu-Of-Tax Agreement For The F.I.G.H.T. Village Apartments Renovation Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Pursuant to Section 577 of the New York State Private Housing Finance Law, the Council hereby exempts from real property taxes, for a period of 30 years, the properties at 428 North Clinton Avenue, SBL No. 106.550-1-21, and 508-560 North Clinton Avenue, SBL No. 106.550-1-19, to be owned by Conifer Realty, LLC or an affiliated partnership or housing development fund company formed for the purpose of developing the project, and to be used for housing as a part of the F.I.G.H.T. Village Apartments Renovation Project.

Section 2. The Mayor is hereby further authorized to enter into an in-lieu-of-tax payment agreement for a period of thirty years with Conifer Realty, LLC or an affiliated partnership or housing development fund company formed for the purpose of developing the project, whereby the owner shall be obligated to make annual tax and in-lieu-of-tax payments to the City of Rochester equal to 7% of its annual "shelter rent" in years 1-3, 8% in years 4-6, 9% in years 7-9, [and] 10% in years 10-[30] 20 and 12% in years 21-30. "Shelter rent" shall equal gross rents less utility costs.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Bracketed material deleted; underlined material added.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-344  
Re: Amending the 2009-10 Consolidated  
Community Development Plan -

October 13, 2009

Economic Development, Demolition,  
And FIS

Transmitted herewith for your approval is legislation amending the 2009-10 Consolidated Community Development Plan to provide funding for various economic development, demolition and Focused Investment Strategy programs. Specifically, this legislation will:

1. Amend the 2009-10 Consolidated Community Development Plan to transfer and appropriate a total of \$1,000,000 as follows:

<u>Amount</u>	<u>Transfer from</u>	<u>Transfer to</u>
\$400,000	Neighborhood and Asset-Based Planning Fund	Demolition Fund (new account)
\$600,000	Neighborhood and Asset-Based Planning Fund	ED Financial Assistance Loan and Grant Program

2. Amend the 2009-10 Consolidated Community Development Plan to include the Midtown Retention Grant Program as an economic development program funded by the ED Financial Assistance Loan and Grant Program; and
3. Authorize agreements necessary to implement the programs.

These CDBG funds had previously been identified for FIS programs. However, the FIS programs can be accomplished through funding from Cash Capital, thereby gaining greater flexibility and increasing the City's ability to fund low- and moderate-income housing development. Since both the \$400,000 for demolition and the \$600,000 for FIS programs are available in Cash Capital, this "swap" in funds will not affect the amounts available for demolition or FIS programs.

The re-appropriation of the \$600,000 of CDBG funds for economic development programs, and the addition of the Midtown Retention Grant Program, will allow support for the relocation of the Trailways terminal.

A public hearing on amending the 2009-10 Consolidated Community Development Plan is required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-344  
(Int. No. 378)

Authorizing An Amendatory 2009-10 Community Development  
Program Plan And Appropriating Funds For Demolition And The  
ED Financial Assistance Loan And Grant Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves amendments to the 2009-10 Community Development Program Plan whereby the sum of \$400,000 shall be transferred from the Neighborhood and Asset Based Planning Fund of the Improving the Housing Stock and General Property Conditions allocation to a new Demolition Account in the same allocation, and the sum of \$600,000 shall be transferred from the Neighborhood and Asset Based Planning Fund of the Improving the Housing Stock and General Property Conditions allocation to the Midtown Retention Grant Program, which will be a new use in the ED Financial Assistance Loan and Grant Program Account of the Promoting Economic Stability allocation.

October 13, 2009

Section 2. There is hereby appropriated from the Improving the Housing Stock and General Property Conditions allocation of the 2009-10 Community Development Program the sum of \$400,000, or so much thereof as may be necessary, to fund the Demolition Program.

Section 3. There is hereby appropriated from the Promoting Economic Stability allocation of the 2009-10 Community Development Program the sum of \$600,000, or so much thereof as may be necessary, to fund the Midtown Retention Grant Program within the ED Financial Assistance Loan and Grant Program.

Section 4. The Mayor or his designee is hereby authorized to enter into such agreements as may be necessary to implement the Programs. The agreements shall contain such additional terms and conditions as the Mayor or his designee deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Passed unanimously.

Councilmember Warren moved to discharge Int. No. 318 from committee.

The motion was seconded by Councilmember Palumbo.

The motion was adopted by the following votes:

Ayes - President Santiago, Councilmembers Conklin, Lightfoot, McFadden, Miller, Palumbo, Pritchard, Spaul, Warren - 9.

Nays - None - 0.

Transmittal letter appears on page \_\_\_\_\_ of the current council proceedings.

Attachment No. AI-114

Ordinance No. 2009-345  
(Int. No. 318)

Amending The Official Map By Abandonment Of A Portion Of  
School Alley From Broad Street To Its South End

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Chapter 76 of the Municipal Code, Official Map or Plan, as amended, is hereby further amended by changing and deleting therefrom the following described property, heretofore dedicated to street purposes and constituting a portion of School Alley:

ALL THOSE TRACTS OR PARCELS OF LAND situate in the Hundred Acre Tract, City of Rochester, County of Monroe, State of New York, more particularly described as follows:

Beginning at the intersection of the south street line of West Broad Street and the west street line of School Alley, said point being N 83° 43' 43" E a distance of 107.47 feet from South Plymouth Avenue as measured along the south street line of West Broad Street; thence

1. N 83° 43' 43" E, along the south street line of West Broad Street a distance of 10.35 feet to an angle point; thence



October 13, 2009

2. N 80° 44' 20" E, along the south street line of West Broad Street a distance of 4.89 feet to its intersection with the east street line of School Alley; thence
3. S 17° 24' 14" E, along the east street line of School Alley a distance of 175.72 feet to a point on the north line of lands owned by the County of Monroe; thence
4. S 72° 41' 06" W, along the north line of said County of Monroe lands a distance of 15.00 feet to its intersection with the west street line of School Alley; thence
5. N 17° 24' 14" W, along said west street line of School Alley, a distance of 178.39 feet to the point or place of beginning, being 2654.52 sq. ft. or 0.061 acre more or less.

All as shown on a map prepared by Larsen Engineers, dated 9/24/08 entitled "ABANDONMENT MAP, SCHOOL ALLEY TO MONROE COUNTY", and designated Map No. 1.

Section 2. The abandonment authorized herein shall take effect upon compliance by the applicant with the provisions established by the City Planning Commission in its recommendations of July 6, 2009.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Introductory No. 375

Re: Acquisition of Property -  
139 Comfort Street

Transmitted herewith for your approval is legislation authorizing the acquisition of property donated by the Association for the Blind and Visually Impaired-Goodwill Industries of Greater Rochester, Inc. The property is a vacant lot comprising approximately .19 acres located at 139 Comfort Street.

The acquisition of this property will allow the City to develop the parcel as right-of-way which will provide improved access for emergency vehicles and refuse trucks servicing properties on Cecil Alley.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Introductory No. 375

#### ACCEPTING DONATION OF PARCEL FOR STREET PURPOSES

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves the acceptance of the donation of a portion of 139 Comfort Street, SBL No. 121-480-1-26, comprising approximately .19 acres, from the Association for the Blind and Visually Impaired-Goodwill Industries of Greater Rochester, Inc. to be used for street purposes.

Section 2. This ordinance shall take effect immediately.

Held in committee.

October 13, 2009

By Councilmember Lightfoot  
October 13, 2009

To the Council:

The Parks & Public Works Committee recommends for Adoption the following entitled legislation:

Int. No. 379 - Authorizing An Agreement With The New York State Department Of Transportation  
For Snow Removal

Int. No. 380 - Authorizing Grant Applications And Agreements For Local Waterfront Revitalization  
Projects

Int. No. 396 - Authorizing Grant Applications And Agreements For Water Quality Improvement  
Projects

Respectfully submitted,  
John F. Lightfoot  
Adam C. McFadden  
Carla M. Palumbo  
Gladys Santiago  
PARK & PUBLIC WORKS COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-346  
Re: Agreement - NYS Snow and Ice  
Removal Services

Transmitted herewith for your approval is legislation authorizing a one-year extension of an existing agreement with the New York State Department of Transportation (NYSDOT) for the provision by the City of snow and ice removal services on the following State highways:

1. Lake Avenue, from Lyell Avenue to West Ridge Road; and
2. Plymouth Avenue, from Commercial Street to Troup Street.

The total length of these two streets is 2.7 miles. The City has provided these services since 1978 pursuant to periodic agreements. The most recent agreement was authorized by City Council in November 2008 (Ord. No. 2008-385). This legislation will extend the agreement to June 30, 2012, as required by the NYSDOT.

The State will reimburse the City \$54,071 for snow and ice removal performed during the 2009-10 winter season, which is \$542 more than the prior year.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-346  
(Int. No. 379)

October 13, 2009  
Authorizing An Agreement With The New York State Department  
Of Transportation For Snow Removal

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the New York State Department of Transportation for the provision by the City of snow and ice removal services on Lake Avenue, from Lyell Avenue to West Ridge Road, and on Plymouth Avenue, from Commercial Street to Troup Street, through June 30, 2012. The agreement shall obligate the State to reimburse the City for such services.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-347  
Re: Agreement - New York State  
Department of State, Local  
Waterfront Revitalization Program  
Environmental Protection Fund

Transmitted herewith for your approval is legislation authorizing agreements with the New York State Department of State (NYSDOS) for applications for and receipt of grants through the Local Waterfront Revitalization Program Environmental Protection Fund (EPF).

The NYSDOS Division of Coastal Resources administers this grant program to help finance projects that advance implementation of the Local Waterfront Revitalization Program (LWRP). The program provides up to 50% of the total cost of a project. This year, \$23 million in EPF funding is available statewide. The City has applied for funding for five priority projects, summarized below:

<u>Project</u>	<u>Total Cost</u>	<u>State Request</u>	<u>Local Match</u>
Port of Rochester			
<i>Public Marina - Phase I construction</i>	\$4,354,000	\$1,100,000	\$3,254,000
<i>Marina promenade and open space</i>	\$4,103,000	\$885,000	\$3,218,000
Turning Point Trailhead improvements	\$780,000	\$390,000	\$390,000
Rundel Library Infrastructure - Phase II	\$2,793,300	\$1,396,650	\$1,396,650
West River Wall Reconstruction - planning and design	\$402,000	\$201,000	\$201,000

Port of Rochester Public Marina Phase I Construction

This project, the construction of an eighty-slip public marina facility, will include both seasonal and transient slips and will be integrated with the existing port terminal facilities. The grant funds will support the construction of breakwaters and wave attenuating structures, entrance scour protection, marina wall sheet piling and stone revetment, gangways and security gates, floating docks, pilings, and dock utilities. The marina is a component of the City's Local Waterfront Revitalization Program for the Port of Rochester and is intended to stimulate waterfront recreation, increase public access, spur new housing and generate economic growth.

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Port of Rochester Marina Promenade and Public Spaces

This project includes a new 1,900 foot public waterfront promenade, public spaces and green areas, and new boater facilities and rest areas associated with the marina development. The grant will help finance the construction of the promenade/boardwalk, public green spaces, the boater services building, promenade lighting, benches and signage. The project is being designed as an integral land-side feature to the City's new public marina basin and will be linked to the Genesee River Trail system, the Port Terminal building, Ontario Beach Park, and the Charlotte pier.

To offset a portion of the required local match for these two Port projects, the City has also submitted an application for \$2.8 million in funding from the federal Boater Infrastructure Grant program.

Turning Point Park Trailhead Parking Improvements

The expansion of the parking lot was authorized by Council in September 2009. This grant will allow for enhancements that will protect the Genesee River from parking lot runoffs. The new lot will include porous pavement, structured soils and a rain garden, and will serve as a model for the incorporation of green design for similar projects, both private and public.

Rundel Library Infrastructure Project - Phase II

The area surrounding the central downtown library will be converted into a dynamic urban park focusing on the Genesee River and historic Erie Canal. The first step in this process is to stop the corrosion and deterioration of the foundation and the structural supports for the plaza. Phase I of the project, completed in 2008, focused on the building's foundation. Phase II will focus on the structural supports of the plaza area. Once this is completed, the park can be established.

The West River Wall Project

The west wall of the Genesee River between Corn Hill Landing and the Ford Street Bridge is a flood control wall that is crumbling, obscures the river view, and is overgrown with vegetation. This roughly one-third mile stretch of riverfront is part of the New York State Canal System and the Genesee Riverway Trail. The funding request will support the costs of planning and design work related to the reconstruction of the wall.

State funding would provide an important catalyst for increasing the priority of these projects, and would maximize the effectiveness of the City's Capital Improvement Plan project funding. The City received \$905,000 in State funding during the 2007-08 grant cycle, and \$1,070,000 in 2008-09.

It is anticipated that City funding for the projects will be allocated through the Capital Improvement Planning process.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-347  
(Int. No. 380)

Authorizing Grant Applications And Agreements For Local  
Waterfront Revitalization Projects

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with the New York State Department of State for funding through the Local Waterfront Revitalization Program's Environmental Protection Fund for the Port of Rochester Public Marina Facilities Phase I

October 13, 2009

Construction, Port of Rochester Marina Promenade and Public Spaces Construction, Turning Point Park Trailhead Improvements, Rundel Library Infrastructure Phase II, and West River Wall Reconstruction Planning and Design Projects.

Section 2. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-348

Re: Grant Application - New York State,  
Water Quality Improvement Projects  
Program

Transmitted herewith for your approval is legislation authorizing an agreement with the New York State Department of Environmental Conservation (NYSDEC) for the application for and receipt of funding through the Water Quality Improvement Projects (WQIP) Program.

This is the tenth round of funding under the WQIP program, made available through the New York State Environmental Protection Fund. Historically, the City has been a supporting applicant as a member of the Monroe County Stormwater Coalition, with grant application and administration coordinated through the County Department of Environmental Services. This round provides a new funding category for municipal projects that will reduce wastewater to combined sewer overflows (CSOs). The City is eligible to receive funding for projects demonstrating environmental benefits from reduced runoff and improved water quality.

The CSO grant program provides up to 85% of the total cost of a project. The Department of Environmental Services is requesting funding for six priority projects, summarized below:

<u>Project</u>	<u>Total Cost</u>	<u>State Request</u>	<u>Local Match</u>
City Hall "B" roof/parking lot	\$ 890,000	\$ 756,500	\$ 133,500
CVMF Building 200 roof replacement	500,000	425,000	75,000
Public Market paving/drainage	2,600,000	2,210,000	390,000
Cornerstone Park improvements	850,000	722,500	127,500
Emerson/Locust street drainage	300,000	255,000	45,000
Citywide sidewalk and landscaping	<u>320,000</u>	<u>272,000</u>	<u>48,000</u>
Total	\$5,460,000	\$4,641,000	\$819,000

City Hall "B" Building roof replacement and permeable parking lot

The 12,900 square-foot roof requires replacement; it is proposed that it be replaced with a "green" roof. A green roof typically consists of a thin layer of soil and a drainage layer applied directly to a roofing membrane, using plantings to cover the soil to prevent erosion, retain rainwater, and provide insulation and respirative cooling. The roof is scheduled for replacement in summer 2010; if the grant is awarded, interim repairs and waterproofing will be conducted while design of the roof's sustainable elements are underway. The project will also incorporate permeable asphalt segments in the adjacent parking lot, to control runoff of pollutants to surface waters and to protect groundwater supply.

Central Vehicle Maintenance Facility Building 200 roof replacement

October 13, 2009

This roof has exceeded its useful life and requires replacement. It is anticipated that the project will incorporate partial sustainable roof approaches for either the lower building roof (11,100 square feet) and higher roof (20,250 square feet), including but not limited to an extensive vegetative roof, reflective roof, stormwater runoff collection system and/or the use of recycled building materials.

The costs for both roofing projects includes design, construction and construction administration.

Public Market paving and drainage improvements

This project includes the restoration of the existing historic brick pavement to the core of the market using a permeable installation detail. Pavers will be salvaged from the site to restore the core market area. Additional stormwater management practices such as permeable pavement infiltration strips, bio-swales, and roof runoff capture and diversion will be implemented as feasible and appropriate. This project will also expand the recently completed Trinidad Street parking lot to the east of the Hebard Street ROW. The parking expansion will include the use of permeable pavements and bio-swales to mitigate stormwater impacts.

Cornerstone Park permeable paving and landscaping

This 13,000 square foot park is located at the corner of Stone and Broad Streets. The park infrastructure is deteriorated and requires updating and restoration of the existing water fountain, new pavers and landscaping. Improvements to assist in stormwater runoff will include permeable pavers, bio-swale and additional landscaping. The updated park will serve adjacent businesses and provide additional public space for patrons of the Bausch & Lomb and Rundel Library facilities.

Emerson Street - Locust Street connector street

The new connector street planned for construction between Emerson and Locust Streets, approximately mid-block between Dewey and Fulton Avenues, will incorporate a rain garden, porous concrete sidewalks and permeable pavement.

City-wide sidewalks and landscaping

This project will allow for the selection of 50 sites throughout the city to be used as demonstrations of permeable sidewalks and tree plantings, which act to significantly reduce stormwater runoff.

Also, the City is endorsing the application by Monroe County for a WQIP submission to address non-point source pollution issues at Durand Eastman Park. The project will construct a three-acre dry detention basin to delay, reduce and filter the flow of stormwater from the Sherry Swamp watershed. This project will benefit the operations of Durand Eastman Beach through reduction of e-coli contamination from storm runoff, a major source of pollution to the near shore area of Lake Ontario. The project is incorporated as part of the Durand Eastman Park Beach Master Plan, with an estimated cost of \$580,000, including design, construction and construction administration. No City funds are required.

State funding would provide an important catalyst for increasing the priority of these projects, and would maximize the effectiveness of the City's Capital Improvement Plan project funding. The City share of funding for these projects will be met as follows: The roof replacement and street connector projects have been identified in previous Capital Improvement Plans; the sidewalk and landscaping will be addressed through in-kind services; and the Public Market project will be addressed through the CIP process.

These grants, if awarded, will further the City's contributions to reducing greenhouse gas emissions, saving energy and creating models of sustainable community action.

Respectfully submitted,  
Robert J. Duffy  
Mayor

October 13, 2009

Ordinance No. 2009-348  
(Int. No. 396)

Authorizing Grant Applications And Agreements For Water Quality  
Improvement Projects

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to submit applications to and enter into agreements with the New York State Department of Environmental Conservation for funding through the Water Quality Improvement Projects Program for the City Hall "B" Roof Replacement and Permeable Parking Lot Project, CVMF Building 200 Roof Replacement, Public Market Permeable Paving and Drainage Project, Cornerstone Park Permeable Pavers and Landscaping Project, Emerson/Locust Connector Street Drainage Applications Project and Citywide Porous Sidewalk and Landscaping Applications Project.

Section 2. The applications and agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

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By Councilmember Miller  
October 13, 2009

To the Council:

The Economic Development & The Environment Committee recommends for Adoption the following entitled legislation:

Int. No. 392 - Establishing Maximum Compensation For A Professional Services Agreement For The Environmental Cleanup Of 110-210 Colfax Street

Int. No. 393 - Bond Ordinance Of The City Of Rochester, New York Authorizing The Issuance Of \$81,000 Bonds Of Said City To Finance The Cost Of Environmental Clean-Up Of The City-Owned Parcel At 110-210 Colfax Street In The City

Int. No. 397 - Resolution Endorsing A Grant Application For Funding From The Upstate Regional Blueprint Fund

Respectfully submitted,  
Dana K. Miller  
John F. Lightfoot  
Elaine M. Spaul  
Gladys Santiago  
William F. Pritchard  
ECONOMIC DEVELOPMENT & THE ENVIRONMENT COMMITTEE

Received, filed and published.

TO THE COUNCIL  
Ladies and Gentlemen:

October 13, 2009

Ordinance No. 2009-349 and  
Ordinance No. 2009-350

Re: Agreement - Lu Engineers, 110-210  
Colfax Street Brownfield Cleanup

Transmitted herewith for your approval is legislation establishing \$80,630 as maximum compensation for an agreement with Lu Engineers for the environmental cleanup of the brownfield property located at 110-210 Colfax Street; and authorizing the issuance of bonds totaling \$81,000 and the appropriation of the proceeds thereof to finance the cost of the agreement.

The City-owned site consists of one parcel totaling approximately 2.7 acres. The property has historically been used by the City's Forestry Division and as the Auto Pound Auction Lot. Several concerns regarding the site have previously been identified, including: onsite pesticide use and storage; on-site aboveground petroleum storage tanks; French drain and potential dry well; New York State Department of Environmental Conservation reported spills associated with the use and storage of petroleum at adjacent properties; the site is located within the footprint of the former Emerson Street Landfill; and low-level chlorinated volatile organic compounds in a groundwater monitoring well adjacent to the northern property line.

In September 2009, a request for proposals for cleanup of the site was issued to three local firms: DAY Engineers, Lu Engineers, and Passero Associates. Proposals were received from DAY and Lu. Lu Engineers is recommended based on the quality and scope of its proposal, cost, and its experience with hazardous materials and petroleum cleanup projects, City brownfield projects, and the project team.

Lu Engineers will implement a Corrective Action Plan to remove, transport and properly dispose of approximately 315 cubic yards (470 tons) of petroleum impacted soils, which will be disposed of at a regulated landfill. Excavations will be backfilled, and the Site will be restored to conditions equivalent to pre-source removal activities. The Site will continue to be used as the City Auto Pound Auction Lot until such time as a lease or purchase of the property is executed.

The cost of the agreement includes a 10% contingency amount (\$7,330) for unanticipated conditions and site restoration requirements.

This agreement will have an initial term of one year with provisions for a one-year renewal. Adjustment to the specific unit prices during the second year will be permitted subject to the City's approval. The cleanup fieldwork and Site restoration is anticipated to be completed by the spring of 2010.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-115

Ordinance No. 2009-349  
(Int. No. 392)

Establishing Maximum Compensation For A Professional Services  
Agreement For The Environmental Cleanup Of 110-210 Colfax  
Street

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$80,630, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Lu Engineers for environmental cleanup of the City-owned parcel at 110-210 Colfax Street. The agreement shall extend for



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a term of one year, with an option to renew for an additional year. Said amount shall be funded from a bond ordinance adopted for this purpose.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

Ordinance No. 2009-350  
(Int. No. 393)

Bond Ordinance Of The City Of Rochester, New York Authorizing  
The Issuance Of \$81,000 Bonds Of Said City To Finance The Cost  
Of Environmental Clean-Up Of The City-Owned Parcel At 110-210  
Colfax Street In The City

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The City of Rochester, in the County of Monroe, New York (herein called the "City"), is hereby authorized to finance the cost of the environmental clean-up of hazardous substances at the City-owned parcel at 110-210 Colfax Street in the City (the "Site"). The total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$81,000, and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$81,000 bonds of the City, and the levy and collection of an ad valorem tax on all the taxable real property in the City without limitation as to rate or amount, sufficient to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the City in the principal amount of \$81,000 are hereby authorized to be issued pursuant to the Constitution and laws of the State of New York, including the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), this Ordinance, and other proceedings and determinations related thereto.

Section 3. The City intends to finance, on an interim basis, the costs or a portion of the costs of said improvement for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the City, pursuant to this Ordinance, in the amount of \$81,000. This Ordinance is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The period of probable usefulness of said specific object or purpose for which said bonds authorized pursuant to this Ordinance are to be issued, within the limitations of Section 11.00a.6-e of the Law, is twenty (20) years.

Section 5. Each of the bonds authorized by this Ordinance and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the City, payable as to both principal and interest by an ad valorem tax upon all the taxable real property within the City without limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the City by appropriation of (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. Subject to the provisions of this Ordinance and of said Law, and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of Section 50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the City Council relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, and relative to providing for substantially level or declining debt

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service, prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, as well as to executing agreements for credit enhancement, are hereby delegated to the Director of Finance, as the Chief Fiscal officer of the City.

Section 7. The validity of the bonds authorized by this Ordinance and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such Ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This ordinance shall take effect immediately, and the City Clerk is hereby authorized and directed to publish a summary of the foregoing ordinance, together with a Notice attached in substantially the form prescribed by Section 81.00 of the law in "The Daily Record", a newspaper published in Rochester, New York, having a general circulation in the City and hereby designated the official newspaper of said City for such publication.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Resolution No. 2009-16  
Re: Resolution Endorsing A Grant  
Application For the Upstate  
Regional Blueprint Fund

Transmitted herewith for your approval is legislation endorsing an application for the selected developer of the Midtown Tower to Empire State Development for a grant application for the Upstate Regional Blueprint Fund.

The City is reviewing two proposals submitted for the purchase and redevelopment of the Midtown Tower for residential, commercial and retail use. The selected developer will submit an application for up to \$4 million in grant funding for the project. Grant applications for round two of the Blueprint program must be submitted to Empire State Development by October 15, 2009. Applications under the Blueprint Program are evaluated on point-scoring basis. Additional points are awarded to applications that include letters of support from the local municipality.

It is anticipated that a developer for the Midtown Tower project will be selected by the October 15<sup>th</sup> deadline.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Resolution No. 2009-16  
(Int. No. 397)

Resolution Endorsing A Grant Application For Funding From The  
Upstate Regional Blueprint Fund

October 13, 2009

BE IT RESOLVED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby endorses the application by the selected developer of the Midtown Tower to Empire State Development for funding through the Upstate Regional Blueprint Fund.

Section 2. This resolution shall take effect immediately.

Adopted unanimously.

---

By Councilmember McFadden  
October 13, 2009

To the Council:

The Public Safety & Recreation Committee recommends for Adoption the following entitled legislation:

Int. No. 381 - Amending The 2009-10 Budget By Appropriating Forfeiture Funds For The Rochester Police Department

Int. No. 382 - Authorizing An Agreement For A Traffic Safety Grant And Amending The 2009-10 Budget

Int. No. 383 - Authorizing An Agreement And Amending The 2009-10 Budget For The Rochester Re-Entry Program

Int. No. 384 - Establishing Maximum Compensation For A Professional Services Agreement For An After School Program Coordinator

Int. No. 385 - Establishing Maximum Compensation For A Professional Services Agreement For A Substance Abuse Program

Int. No. 386 - Authorizing Amendatory Agreements Relating To The Rochester After School Academy 4 Program, Amending Ordinance No. 2009-217 And The 2009-10 Budget

Int. No. 387 - Establishing Maximum Compensation For A Professional Services Agreement For Hockey Referees

Int. No. 389 - Authorizing An Agreement For The City At Peace-Rochester Project

Int. No. 390 - Authorizing An Agreement And Amending The 2009-10 Budget For A Health Foundation Grant

Int. No. 394 - Establishing Maximum Compensation For An Amendatory Professional Services Agreement For Labor Relations Consultation Services

The PUBLIC SAFETY & RECREATION COMMITTEE recommends for CONSIDERATION the following entitled legislation:

Int. No. 391 - Authorizing Amendatory 2003-04, 2004-05, 2005-06 And 2006-07 Community Development Program Plans And Amending Ordinances For The Job Creation/Youth Development Program

October 13, 2009

The following entitled legislation is being HELD in committee:

Int. No. 388 - Authorizing Agreements For The Hillside Work Scholarship Connection Program

Respectfully submitted,  
Adam C. McFadden  
Dana K. Miller  
Elaine M. Spaul  
Gladys Santiago  
William F. Pritchard  
PUBLIC SAFETY & RECREATION COMMITTEE

Received, filed and published.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-351  
Re: Appropriation of Forfeiture Funds  
For the Greater Rochester Area  
Narcotics Enforcement Team

Transmitted herewith for your approval is legislation appropriating \$75,000 from federal forfeited property revenues attributable to the Greater Rochester Area Narcotics Enforcement Team (GRANET), and amending the 2009-10 Budget of the Police Department by its inclusion.

The appropriated funds will be used to support GRANET operations for the period July 1, 2009 through June 30, 2010. GRANET participates in joint investigations with the Greater Rochester Area Special Operations Group (GRASOG), which includes participants from federal and State as well as local law enforcement agencies. The mission of GRASOG is to achieve maximum coordination and cooperation, and bring to bear the combined resources of member agencies to investigate mid and upper level narcotics related offenses and illegal weapons offenses and aggressively to investigate career criminals in the Greater Rochester/Monroe County area, utilizing both State and Federal laws.

Under the current Memorandum of Understanding among the participating agencies, GRANET will share in any properties or funds confiscated as a direct result of a criminal investigation initiated by GRANET, pursuant to forfeiture regulations of the United States Department of Justice, the United States Department of the Treasury, and the Monroe County District Attorney's Office. During its term of operation, GRANET will utilize asset forfeiture funds for operational expenses, including: communications, electronic surveillance, confidential funds and vehicle rentals for undercover operations, parking, supplies, and training. The proposed expenditures conform to the Attorney General's Guidelines for Seized and Forfeited Property (March 1994). Salaries and overtime for participants will continue to be paid by each officer's respective agency.

The City administers GRANET's equitable share of federal forfeiture funds, and keeps a separate accounting for these funds. The undesignated balance in GRANET's forfeiture fund after this transfer will be approximately \$12,000. This will be the first appropriation of GRANET's forfeiture funds during 2009-10.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-351  
(Int. No. 381)

October 13, 2009

Amending The 2009-10 Budget By Appropriating Forfeiture Funds  
For The Rochester Police Department

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$75,000, which amount is hereby appropriated from funds realized from seized and forfeited assets to fund the operations of the Greater Rochester Area Narcotics Enforcement Team (GRANET).

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-352  
Re: National Highway Traffic Safety  
Administration Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the National Highway Traffic Safety Administration for a grant award of \$60,000 under the Data-Driven Approaches to Crime and Traffic Safety (DDACTS) program, and amending the 2009-10 Budget of the Police Department by \$60,000 to reflect receipt and use of the award.

Rochester has been selected by the National Highway Traffic Safety Administration as one of six sites nation-wide to pilot the DDACTS Project. This funding will allow for additional traffic patrols in two Police service areas in the city. The DDACTS program will use various traffic enforcement strategies to reduce criminal activity and traffic accidents in areas that currently experience high levels of each.

The program will be in effect through March 2011.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-352  
(Int. No. 382)

Authorizing An Agreement For A Traffic Safety Grant And  
Amending The 2009-10 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the National Highway Traffic Safety Administration for funding for police traffic patrols under the Data-Driven Approaches to Crime and Traffic Safety (DDACTS) Program.

Section 2. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Rochester Police Department by the sum of \$60,000, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein.

October 13, 2009

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-353

Re: Rochester Re-entry Program

Transmitted herewith for your approval is legislation authorizing an agreement with the Rochester City School District for the receipt and use of a \$60,000 grant to support City involvement in the District's Rochester Re-entry Program, and amending the 2009-10 Budget of the Department of Recreation and Youth Services to reflect the grant.

The funds will be used to support a one-year temporary position for a Pathways to Peace Youth Intervention Specialist who will work with a social worker from the District to ensure that high-risk youth have access to essential support services. Their work will focus on ensuring that Student Support Services within the high schools are linked to resources available through Pathways and the Office of Children and Family Services (OCFS).

The project's primary objectives are to:

- Assist OCFS and Monroe County Children's Detention Center (MCCDC) students returning to school as quickly as possible once they have been returned to the community;
- Provide students with the skills and support systems to facilitate the transition to the structured school system successfully; and
- Improve student attendance and academic performance to ensure that students will re-enter school, stay in school, and succeed in school.

The Pathways staff person will meet with and assist forty male students who are returning to City Schools from New York State OCFS, the State School at Industry and its voluntary placement sites, or the MCCDC Center.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-353  
(Int. No. 383)

Authorizing An Agreement And Amending The 2009-10 Budget For  
The Rochester Re-Entry Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District for funding for the Rochester Re-entry Program.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

October 13, 2009

Section 3. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Recreation and Youth Services by the sum of \$60,000, which amount is hereby appropriated from funds to be received under the agreement authorized herein to fund the Rochester Re-entry Program.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-354

Re: Agreement - Baden Street Settlement  
of Rochester, Inc.

Transmitted herewith for your approval is legislation establishing \$33,987 as maximum compensation for an agreement with Baden Street Settlement of Rochester, Inc. to provide a program coordinator for a new after-school program at Lake Riley Lodge. The cost of the agreement will be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

The After School in the Parks program is a revived fee-for-service child care City offering. Several years ago, similar service was offered at sites that also offered drop-in recreation programming. The County Office of Child and Family Services determined that sharing these two uses were not compatible, and the service was discontinued. The new program will be piloted this year at Lake Riley Lodge, with plans to expand services at Norton Village, Genesee Valley Park Field House, and Marketview Lodge.

After School in the Park at Lake Riley will provide care from 3-6:30 pm, Monday-Friday, for 35 city students between the ages of 6 and 13 at a cost of \$65 per week. Participants will be served a snack and a hot dinner from FoodLink, and will receive homework help and a variety of social and recreational activities. Rochester City School District students can be bused to the site via school district transportation at the end of the school day.

The program will also offer child care during both of the February and April school recess weeks from 9 a.m. to 5 p.m. for \$125 per week.

The program coordinator will provide the following services: program oversight, including coordination with FoodLink; day to day operation; contact with parents; direct child care service coverage for staff absences; and delivery of the Healthy Lifestyles curriculum being used by Metro Council for Teen Potential of Baden Street to promote fitness, nutrition and positive self-esteem.

The total budget for the pilot program to run from mid-October through the end of the current school year is \$91,000; anticipated revenue with full capacity is \$85,560.

The term of this agreement will be October 19, 2009 to June 25, 2010.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-116

Ordinance No. 2009-354  
(Int. No. 384)

October 13, 2009  
Establishing Maximum Compensation For A Professional Services  
Agreement For An After School Program Coordinator

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$33,987, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Baden Street Settlement of Rochester, Inc. for a coordinator for the After School Program in the Park at Lake Riley Lodge. Said amount shall be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-355  
Re: Agreement - Baden Street Settlement  
Of Rochester, Inc./Metro Council  
For Teen Potential, Substance  
Abuse Prevention

Transmitted herewith for your approval is legislation establishing \$47,980 as maximum compensation for an agreement with the Baden Street Settlement of Rochester, Inc. to act as fiduciary for Metro Council for Teen Potential (MCTP) to provide services to reduce substance abuse among youth. The cost of this agreement will be financed from the 2009-10 Budget of the Department of Recreation and Youth Services. The funds were received through a grant from the Substance Abuse and Mental Health Services Administration of the US Department of Health and Human Services and included in the Budget.

MCTP is a resource center for inner-city youth and operates out of Baden Street Settlement. This is the fifth year of the five-year project. The overall goal of the project is to reduce substance abuse, especially alcohol and marijuana, among youth ages 11-18, through the efforts of a community-wide coalition.

MCTP will direct the project, coordinate the coalition of agencies (HEART) working on the program, and oversee needs assessment, analysis and evaluation. MCTP, in collaboration with City staff, will promote social marketing and work with parents and Rochester City School District teachers in substance abuse prevention.

The term of this agreement will be October 1, 2009 to September 29, 2010.

Program and budget descriptions are attached.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-117

Ordinance No. 2009-355  
(Int. No. 385)

Establishing Maximum Compensation For A Professional Services  
Agreement For A Substance Abuse Program



October 13, 2009

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$47,980, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Baden Street Settlement of Rochester, Inc. as fiduciary for the Metro Council for Teen Potential, for the Substance Abuse Program. Said amount shall be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-356

Re: Amendatory Agreements and Budget  
Amendment - Rochester After School  
Academy 4

Transmitted herewith for your approval is legislation authorizing amendatory agreements with three agencies providing programs and services related to the Rochester After School Academy 4 (RASA-4) Program; and amending the 2009-10 Budget of the Department of Recreation and Youth Services to include the \$44,100 realized from the adjustment of compensation to these agencies.

The New York State Department of Education, upon review of the RASA program, is requiring the following adjustments to these agreements that were originally authorized in June 2009 (Ord. No. 2009-217):

<u>Agency</u>	<u>Original Allocation</u>	<u>Amended Allocation</u>	<u>Change</u>
Coordinated Care Services, Inc	\$139,368	\$153,672	\$14,304
Puerto Rican Youth Development	140,770	128,041	- 12,729
Children's Institute	60,674	15,000	- 45,674
Total			-\$44,099

The resulting balance will be used toward transportation costs for RASA students and to support part-time/seasonal staff for the program.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-356  
(Int. No. 386)

Authorizing Amendatory Agreements Relating To The Rochester  
After School Academy 4 Program, Amending Ordinance No. 2009-  
217 And The 2009-10 Budget

BE IT ORDAINED, by the Council of the City of Rochester as follows:

October 13, 2009

Section 1. The Mayor is hereby authorized to enter into an amendatory agreement with Coordinated Care Services, Inc. for programs under the Rochester After School Academy 4 (RASA-4) Program.

Section 2. The amendatory agreement shall obligate the City to pay an amount not to exceed \$14,304, and said amount, or so much thereof as may be necessary, is hereby reappropriated from New York 21st Century Community Learning Centers Program funds reduced in Section 3.

Section 3. Ordinance No. 2009-217, relating to the RASA-4 Program, is hereby amended by reducing the amounts authorized and appropriated in Section 2 for the following programs and the Mayor is hereby authorized to enter into amendatory agreements for said programs:

<u>Agency</u>	<u>School/Agency Partner</u>	<u>Reduction</u>
Puerto Rican Youth Development	Edison/School of Eng. & Mfg.	\$12,729
Children's Institute	RASA-4 Evaluator	45,674

Section 4. The amendatory agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Recreation and Youth Services by the sum of \$44,100, which amount is hereby reappropriated from New York 21st Century Community Learning Centers Program funds reduced in Section 3.

Section 6. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-357  
Re: Agreement - Rochester Ice Hockey  
Officials

Transmitted herewith for your approval is legislation establishing \$13,000 as maximum compensation for an agreement with the Rochester Ice Hockey Officials, Inc. for the provision of referees for adult men's and women's hockey leagues at Genesee Valley Park Sports Arena. The cost of the agreement will be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

The leagues run from October 2009 to May 2010. The leagues are fee-based, and revenue covers all associated costs.

Rochester Ice Hockey Officials, Inc. has provided referees for the City since 1993 and also provides all equipment, materials, and supplies required to perform their services.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-118

Ordinance No. 2009-357  
(Int. No. 387)

October 13, 2009  
Establishing Maximum Compensation For A Professional Services  
Agreement For Hockey Referees

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$13,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for a professional services agreement between the City and Rochester Ice Hockey Officials, Inc. for continued provision of referees for adult men's and women's hockey leagues at the Genesee Valley Park Ice Arena. Said amount shall be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-358  
Re: Agreement - ArtPeace, Inc., City  
at Peace

Transmitted herewith for your approval is legislation establishing \$20,000 as maximum compensation for an agreement with Art Peace, Inc. for the City at Peace-Rochester Project. The cost of the agreement will be funded from the Job Creation/ Youth Development account of the General Community Needs allocation of the 2006-07 Community Development Block Grant.

City at Peace is a national program promoting cross-cultural communication, self-expression and conflict resolution through the performing arts. Working closely with the national program, City at Peace-Rochester will work with thirty City youth to create, for public performance, a high-quality, full-length musical production based on their lives and experiences. The program will also develop community action projects to address issues identified through the creation of the show.

City at Peace is considered a project with matching funds, and this will be their second year of funding. The most recent agreement for these services was approved by Council on June 18, 2008 in Ord. No. 2008-236.

A project description and budget are attached.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Attachment No. AI-119

Ordinance No. 2009-358  
(Int. No. 389)

Authorizing An Agreement For The City At Peace-Rochester Project

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with Art Peace, Inc. for the City at Peace-Rochester Project.

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Section 2. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$20,000, and said amount, or so much thereof as may be necessary, is hereby appropriated from the General Community Needs allocation of the 2006-07 Community Development Program.

Section 3. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

Ordinance No. 2009-359

Re: Budget Amendment - Greater Rochester  
Health Foundation Grant

Transmitted herewith for your approval is legislation authorizing an agreement with the Greater Rochester Health Foundation for receipt and use of a grant for \$7,500, and amending the 2009-10 Budget of the Department of Recreation and Youth Services to reflect the grant.

The funds will be used to replace fitness equipment and supplies at the Avenue D Community Center.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-359  
(Int. No. 390)

Authorizing An Agreement And Amending The 2009-10 Budget For  
A Health Foundation Grant

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Greater Rochester Health Foundation for funding for fitness equipment and supplies for the Avenue D Community Center.

Section 2. The agreement shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 3. Ordinance No. 2009-188, the 2009-10 Budget of the City of Rochester, as amended, is hereby further amended by increasing the revenue estimates and appropriations to the Department of Recreation and Youth Services by the sum of \$7,500, which amount is hereby appropriated from funds to be received under the grant agreement authorized herein to fund the fitness equipment and supplies for the Avenue D Community Center.

Section 4. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL

Ladies and Gentlemen:

October 13, 2009

Ordinance No. 2009-360  
Re: Agreement - J. Martin Solutions,  
Labor Consultation Services

Transmitted for your approval is legislation authorizing an amendatory agreement with J. Martin Solutions for additional labor relations consultation services for the Rochester Police Department. This amendment will increase maximum compensation by \$58,000 and extend the term by two years to September 30, 2011. The additional cost will be funded from the 2009-10 Budget of the Police Department.

J. Martin Solutions will continue to provide general counsel and guidance on labor relations matters, including participating in strategy sessions and conducting or assisting with research. The firm has provided these services under earlier agreements since January 2005 for a total of \$115,000.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-360  
(Int. No. 394)

Establishing Maximum Compensation For An Amendatory  
Professional Services Agreement For Labor Relations Consultation  
Services

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The sum of \$58,000, or so much thereof as may be necessary, is hereby established as the compensation to be paid for an amendatory professional services agreement between the City and J. Martin Solutions, Inc. for labor relations consultation services for the Rochester Police Department for a term of two years. Said amount shall be funded from the 2009-10 Budget of the Rochester Police Department.

Section 2. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Ordinance No. 2009-361  
Re: Amending the 2003-04, 2004-05,  
2005-06, and 2006-07 Consolidated  
Community Development Plans

Transmitted herewith for your approval is legislation amending the 2003-04, 2004-05, 2005-06, and 2006-07 Consolidated Community Development Plans to transfer a total of \$88,518 in unexpended funds to the Job Creation/Youth Development Account of the General Community Needs allocation as follows:

<u>Year</u>	<u>Amount</u>	<u>Account</u>
2003-04	\$ 4,402	Summer on the City Farm
	<u>324</u>	DuBois Urban Youth Training
	\$ 4,726	
2004-05	\$ 1,672	Good Grades Pay

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	3,119	Community Tech Center
	225	Adolescent Parenthood Program
	584	Project Safe Place
	2,065	Summer of Opportunity program
	4,633	Summer on the City Farm
	<u>123</u>	Dubois Urban Youth Training
	\$12,421	
2005-06	\$ 3,015	Good Grades Pay
	3,390	Community Tech Center
	761	Adolescent Parenthood Program
	927	BEEAMS/Young Males Project
	1,049	Summer of Opportunity program
	4,042	Emergency/Transitional Funding
	542	Dubois Urban Youth Training
	477	Quad A
	<u>174</u>	Rochester Fatherhood Initiative
	\$14,377	
2006-07	\$ 101	Moving Forward
	721	Rochester Area Task Force on AIDS
	2,363	Family Talk Program
	109	Quad A
	<u>53,700</u>	Youth Training Academy
	\$56,994	

These transfers will support programming related to the recommendations in the Mayor's Youth Advisory Council *Youth Priorities in Action* report, as well as youth employment initiatives.

A public hearing on the amendments to the Consolidated Plans is required.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Ordinance No. 2009-361  
(Int. No. 391)

Authorizing Amendatory 2003-04, 2004-05, 2005-06 And 2006-07  
Community Development Program Plans And Amending  
Ordinances For The Job Creation/Youth Development Program

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Council hereby approves amendments to the 2003-04, 2004-05, 2005-06 and 2006-07 Community Development Program Plans whereby, within the General Community Needs allocations, a total sum of \$88,518 from the following programs shall be transferred to the Job Creation/Youth Development Program Accounts:

<u>Year</u>	<u>Amount</u>	<u>Ord. #</u>	<u>Account</u>
2003-04	\$ 4,402	2003-129	Summer on the City Farm
	<u>324</u>	2004-055	DuBois Urban Youth Training
	\$ 4,726		
2004-05	\$ 1,672	2005-178	Good Grades Pay
	3,119	2005-080	Community Tech Center

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	225	2005-114	Adolescent Parenthood Program
	584	2006-079	Project Safe Place
	560	2006-175	Summer of Opportunity Program
	1,505	2007-199	Summer of Opportunity Program
	4,633	2004-129	Summer on the City Farm
	<u>123</u>	2005-081	Dubois Urban Youth Training
	\$12,421		
2005-06	\$ 3,015	2005-178	Good Grades Pay
	3,390	2006-054	Community Tech Center
	761	2006-176	Adolescent Parenthood Program
	927	2005-354	BEEAMS/Young Males Project
	1,049	2007-199	Summer of Opportunity Program
	4,042	none	Emergency/Transitional Funding
	542	2006-024	Dubois Urban Youth Training
	477	2005-284	Quad A
	<u>174</u>	2005-114	Rochester Fatherhood Initiative
	\$14,377		
2006-07	\$ 101	2006-356	Moving Forward
	721	2006-272	Rochester Area Task Force on AIDS
	2,363	2006-336	Family Talk Program
	109	2006-270	Quad A
	<u>53,700</u>	none	Youth Training Academy
	\$56,994		

Section 2. The ordinances set forth in the chart in Section 1 are hereby amended by reducing the amounts authorized and appropriated therein as set forth in said chart.

Section 3. This ordinance shall take effect immediately.

Passed unanimously.

TO THE COUNCIL  
Ladies and Gentlemen:

Introductory No. 388  
Re: Hillside Work-Scholarship Connection

Transmitted herewith for your approval is legislation relating to the Hillside Work-Scholarship Connection program for city students. This legislation will:

1. Authorize an agreement with the Rochester City School District for the receipt of \$600,000 to support the Hillside Work Scholarship Connection program. These funds were anticipated and included in the 2009-10 Budget of the Department of Recreation and Youth Services.
2. Establish \$1,000,000 as maximum compensation for an agreement with the Hillside Work Scholarship Connection to support the participation of city students in the program. This agreement will be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

The Hillside Work Scholarship Connection program, established in 1987, helps at-risk urban students stay in school and achieve academic success. The program's mission is to increase the graduation rates of Rochester City School District students by providing long-term advocacy, academic resources, life skills

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development, and job training. On average, 80% of Hillside Work Scholarship Connection students graduate from high school, at twice the rate of their peers, and 80% of these graduates attend college.

The Hillside Work Scholarship Connection program will provide services to a total of 313 City students, the majority of whom were in the program last year, and who will continue to receive services. New students will be recruited from the 8th and 9th grades. This agreement reflects the City's ongoing participation with the School District in the program.

The most recent agreement for these services were approved by Council in September 2008.

A project description is attached.

Ordinance No. 2009-172 provided funding for a separate program to support 150 students with summer jobs and, as appropriate, to continue through the program.

Respectfully submitted,  
Robert J. Duffy  
Mayor

Introductory No. 388

**AUTHORIZING AGREEMENTS FOR THE HILLSIDE WORK  
SCHOLARSHIP CONNECTION PROGRAM**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. The Mayor is hereby authorized to enter into an agreement with the Rochester City School District for reimbursement in the amount of \$600,000 for the Hillside Work Scholarship Connection Program.

Section 2. The Mayor is hereby further authorized to enter into an agreement with the Hillside Children's Center for the Hillside Work Scholarship Connection Program.

Section 3. The agreement shall obligate the City of Rochester to pay an amount not to exceed \$1,000,000, and said amount, or so much thereof as may be necessary, shall be funded from the 2009-10 Budget of the Department of Recreation and Youth Services.

Section 4. The agreements shall contain such additional terms and conditions as the Mayor deems to be appropriate.

Section 5. This ordinance shall take effect immediately.

Held in committee.

The meeting was adjourned at 8:26 p.m.

DANIEL B. KARIN  
City Clerk